

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.40096 of 2016

ORDER:

Heard Mr. Srinivas Rao Bodduluri for petitioner; Mr. S. Sri Ram for respondent No.1 and Mr. Jagannatha Rao for respondent No.2.

2. Petitioner, a ball badminton player, challenges communication dated 08.11.2016 directing the petitioner to take readmission and undergo fresh regular course of study of BE II/IV I semester of CSE. Petitioner relies upon a few certificates issued by Ball Badminton Federation of India and certificate of participation of petitioner in National/International sports events. It is stated that if the participation in the sports events is taken note of, the first respondent can exercise discretion and take a decision warranting in the fact situation of this case to enable the petitioner to participate in sports and complete the studies.

3. Mr. S. Sri Ram appearing for first respondent college draws the attention of the Court to Rules and Regulations for the Four Year Degree Course in Engineering/Technology and submits that in special cases subject to proof, reliability and genuineness of the assertion of a student, the first respondent can exercise the discretion. He further submits that as various facts and details are to be examined, the writ remedy against the communication impugned in the writ petition may not be apt.

4. I have perused the records and also the certificates relied upon by the petitioner. Since discretionary power is conferred on the first

respondent, I am satisfied the first respondent can be directed to re-examine the request of petitioner, verify the genuineness of reasons for absence from college, if otherwise the petitioner merits consideration, appropriate decision both in the interest of petitioner and institution is taken. Counsel for first respondent assures the Court that the decision on the request of petitioner is taken at the earliest, any way not later than 29.11.2016.

The writ petition is disposed of. As a sequel, the miscellaneous petitions, pending if any, shall stand closed. There shall be no order as to costs.

November 25, 2016
Note: Furnish C.C. forthwith
(B/o) DSK

S. V. BHATT, J

